# TOWN OF NORTHFIELD, VERMONT BOARD OF SELECTMEN Minutes of April 12, 2016

I. ROLL CALL. Chair K. David Maxwell, Selectmen Lynn Doney, Nathan Freeman, Matthew Gadbois, and Kenneth W. Goslant. Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Patrick DeMasi (Utility Superintendent), Stephen Fitzhugh (Utility Commissioner), Daniel Currier (Central Vermont Regional Planning Commission), Andros Torizzo (Watershed Consulting Associates), Pam Knox (Northfield Conservation Commission), Laura Hill-Eubanks (Northfield Conservation Commission), Jan Pekol (Northfield Conservation Commission), Shaun Sweet (O'Maddi's Deli & Café), Kaylan Sweet (O'Maddi's Deli & Café), Michele Braun, Tina DeMasi, Sally Davidson (Recreation Committee), Tim Davis (Northfield Fire Department), Norm Andrews, Tim Emmons, Gerard LaVarnway, Timothy Watkins (IBEW Local 300), Dave Amell, Stephen Amell Jr., Karl Bailey, Lonny Wade, Keith Dukette, Chris Wade, Bobbi Underhill, Carle Underhill, and Kathleen Lott (Northfield News).

Chair Maxwell called the meeting to order at 7:00 p.m.

- **II. PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.
- **III. SET/ADJUST AGENDA.** Manager Schulz stated that representatives from the Cornerstone Burger Company were supposed to address the Select Board and request outdoor seating for their establishment but could not be present tonight. This item will be rescheduled for a future meeting.
- IV. PUBLIC PARTICIPATION (SCHEDULED)
  - Shaun and Kaylan Sweet, O'Maddi's Deli & Café: Disputed Water Bill. Ms. Sweet stated that the monthly utility bill for their restaurant over the summer of 2015 usually was in the \$110 to \$130 range. In October and November 2015, the utility bill rose to \$186 each month but in December 2015 there was a spike in water usage that resulted in a bill in the amount of \$476.35. The bill went down to \$150 the following month. The Sweets have contacted the Northfield Utility Office, which has been unable to provide an explanation. Therefore, the Sweets are disputing the water portion of their December 2015 utility bill. Ms. Sweet added that their restaurant was closed for remodeling for two (2) weeks in November 2015, which makes the excessive water use even more puzzling. Selectman Gadbois, who is the owner-operator of Gadbois Plumbing & Heating, said that he inspected the location and did not find any leaks that would explain the water use. He also confirmed that the water meter was spinning properly so that the water was being used. It is his best opinion that there may have been a toilet with a stuck flapper that ran overnight or a similar problem with a newly purchased icemaker. Ms. Sweet does not think that either of these two scenarios are likely. The Sweets are willing to pay the Utility Department \$186 towards the December bill, which is the highest amount they paid previously for their business.

Manager Schulz stated that the Utility Office employees and Utility Superintendent Patrick DeMasi have looked into this matter and have concluded that the water meter was operating correctly and there was no misread. Chair Maxwell stated that in the past, the Village Trustees had been willing to abate the sewer portion of a utility bill due to a leak since the water did not go back into the system. However, there is no past example of forgiving a water bill when there was no evidence that the utility equipment malfunctioned. Although there remains a mystery, Chair Maxwell does not want to create a precedent that other customers might attempt to exploit. After further discussion, Manager Schulz suggested that the Water Department continue its investigation of this matter. Selectman Freeman thought that this was a good idea and he hoped that an extra two (2) weeks will provide some answers before the Select Board needs to take action. Chair Maxwell also is uncomfortable with making a decision tonight and asked that this matter be put on the next regular meeting agenda (04/26/16).

Daniel Currier, Central Vermont Regional Planning Commission (CVRPC): Stormwater b. Detention Basins Project. Manager Schulz stated that the possible installation of stormwater detention basins near the Dog River behind the Holland Place parking lot had been discussed at the last regular meeting (03/22/16). There were various concerns expressed at that meeting such as the loss of parking spaces behind the American Legion, the relocation of the propane tank, safety concerns about the basins themselves, etc. Mr. Currier has been working with CVRPC consultant Andros Torizzo to address these issues. Among the previous suggestions was to look into whether the basins could be installed underground as this would preserve all the current parking spaces and prevent the possibility of a child falling into the basins following a storm event when there might be up to two feet (2') of standing water. Mr. Currier researched this and found that the additional installation and maintenance costs associated with underground basins were quite high. He thought it best to proceed with the open design but with the parking area shifted to save some spaces and allow more access to the back of the American Legion building. Shrubbery would surround the basins to prevent any public access. Mr. Currier hopes that the Select Board will approve a motion tonight that would authorize him and Mr. Torizzo to proceed with the proposed project.

Selectman Doney asked about the possibility of covering the basins to further restrict access. Mr. Currier said that this would significantly hinder evaporation after a rainstorm and result in the standing water remaining longer in the basins. Under normal conditions, the water should evaporate within twenty-four (24) hours. Selectman Goslant asked why these basins look so different than the previous water garden on Central Street. Mr. Torizzo said that since Central Street has a significant grade before it intersects with Depot Square, the water garden had to be designed with separate levels, etc. The location for the Holland Place project is flat land so this will not be needed. Manager Schulz said that there are plans to install plantings around the Central Street structure this summer so that it will not stand out the way it does now.

Selectman Goslant asked how many parking spots will be lost due to the project. Mr. Currier said that none of the current spaces will be lost. The area near the river where the basins will be installed is not now being used for parking. There are nineteen (19) spots being used and, once the lot has been shifted, there will be twenty (20) spaces stripped and ready for use. Chair Maxwell asked if representatives from the American Legion were made aware of the current plans. Mr. Currier said that they did see an earlier draft and were informed that their parking would not be affected.

Selectman Freeman said that this appears to be a good proposal considering the amount of stormwater that will be treated and that the impact on the surrounding businesses should be minimal. He also feels that Northfield should take advantage of the state funds now available and get this done. Mr. Torizzo added that Northfield is really ahead of the curve compared to other communities in regards to preparing for the stormwater treatment regulations that the Vermont Agency of Natural Resources (ANR) will be issuing in coming years. Selectman Goslant asked if any existing infrastructure will need to be removed, relocated, etc. Mr. Currier said that the only infrastructure that will be affected is the interceptor that currently diverts stormwater to the Wastewater Treatment Facility (WWTF). Selectman Freeman noted that at the last meeting, Mr. DeMasi discussed the various cost benefits for keeping untreated stormwater away from the WWTF. Mr. DeMasi also emphasized that this is the type of stormwater project that the ANR will requiring in future years and that state funds will be harder to obtain when more communities are competing for them.

Chair Maxwell asked if the entire parking lot would have to be repaved. Mr. Currier said that only the back of the parking lot near the project would be disturbed. Christine Barnes asked how much maintenance the new culverts would require. Mr. Torizzo said that maintenance would be minimal with only an annual cleanout. This work could be done by Water Department employees. Stephen Fitzhugh is an elected member of the Northfield Water/Wastewater Commission. He stated that he understands the safety concerns associated with open culverts but he encouraged the Select Board to authorize going forward with this project. He felt that the benefits of preventing stormwater sediment from reaching the WWTF outweighed the concerns expressed.

Selectman Gadbois said he had pushed for an underground structure due to the loss of parking spaces in the downtown area. Selectman Freeman felt that Mr. Currier had sufficiently addressed this concern in his updated plans. He also did not want Northfield taxpayers to bear the burden if this project (and state funding) is rejected now but later becomes an ANR mandate. Manager Schulz noted that such mandates will fall upon private property owners as well as municipalities. This is an optimal location for this type of project. Mr. Torizzo noted that if an underground structure was built under the parking lot, should a plug develop the whole parking lot might have to be torn up to fix it. Mr. Currier confirmed that he made every effort to keep the project cost-effective and with relatively low maintenance costs. Should the Select Board authorize the project going forward, Mr. Currier will finalize the plans and then advertise for construction bids. The projected timeline is for the work to begin in July and be completed this summer.

Chair Maxwell asked if there would be any direct cost to the municipality. Mr. Currier said that some "in kind" services would be required as the local share but these could be provided by Utility Department employees. Mr. Sweet asked where his customers would be able to park during the construction phase. Mr. Currier believes that the whole lot would be shut down for only a few days while the heavy equipment is brought in, etc. Chair Maxwell is confident that the municipality can arrange for alternate parking areas during this brief period. Ms. Sweet asked how long construction would take. Mr. Currier could not give an exact timeline until the construction engineer is hired. However, the whole project should be completed in a few weeks (not months).

Laura Hill-Eubanks is Northfield's CVRPC Representative and she noted that the CVRPC has been very responsive to Northfield's needs and she supports going forward with this project. Motion by Selectman Doney, seconded by Selectman Freeman, to authorize Mr. Currier to proceed with the Holland Place Stormwater Detention Basins project as presented tonight. **Motion passed 5-0-0.** 

c. Pam Knox, Northfield Conservation Commission: Tree Planting Grant. Pam Knox is the Chair of the Northfield Conservation Commission (NCC). She stated that there are state grant funds now available for planting trees and the NCC looked into the possibility of locating them in the FEMA buyout properties along Water Street. However, there are some timeline problems with this particular grant that has caused her to reconsider whether Northfield should apply. For example, the deadline for applications is this coming Saturday (04/16/16) and there remains uncertainty that the proposed location will be available before the December 31, 2016 deadline for project completion. Selectman Gadbois asked if alternate sites were possible. Selectman Freeman noted that the final report from the Vermont Downtown Action Team (V-DAT) suggested adding trees along Wall Street. However, since the Town would directly own the buyout properties, the Water Street location would present fewer complications. Chair Maxwell would prefer to hold off on any grant applications until there is a definite plan for how the buyout properties would be configured, etc. Selectman Freeman agreed that there are problems with the grant timeline. Ms. Knox stated that the NCC would keep an eye out for similar grant opportunities in the future.

Selectman Gadbois asked if the NCC had its own budget for operating expenses. Ms. Knox said that there was no budget at all. Selectman Gadbois noted that the Town recently reached a ten-year lease agreement with Turkey Hill Maple that permitted them to tap maple trees on a municipal property. He suggested that half of the proceeds each year (\$900) could be turned over for use by the NCC. Motion by Selectman Gadbois, seconded by Selectman Freeman, to designate that half of the annual proceeds of the Turkey Hill Maple lease agreement be provided to the Northfield Conservation Commission as its operational budget. Manager Schulz was not sure how to proceed on this since he believes that the land in question is owned by the Northfield Utility Department. Chair Maxwell suggested that the motion be tabled until more research has been done. Michele Braun noted that several Vermont communities have used a portion of monies received from timber harvesting on municipal land to support their own conservation commissions. Selectman Freeman thanked Selectman Gadbois for his suggestion and hopes that there are no obstacles to it being realized at the next meeting.

d. Michele Braun: Update on Water Street Flood Hazard Mitigation Efforts. Ms. Braun is Northfield's former Zoning Administrator but still works for the municipality in order to finish up some of the projects begun during her tenure. This includes the FEMA Buyout process for the structures that were substantially damaged due to Tropical Storm Irene flooding. She stated that thirteen (13) properties had applied for and received buyout status during the initial stages of the process. An additional property on Union Street was granted buyout status and two (2) newer applications have been made that will be likely approved. Ms. Braun feels that this should complete the process as the source of funding has been nearly depleted.

As for what will happen to the buyout properties on Water Street, Ms. Braun stated that a grant has already been received to design plans for lowering the floodplain, etc. Two (2) meetings have already been held with Water Street residents to discuss possible use of the buyout properties. Some residents wanted nothing done that would attract additional traffic to the neighborhood but others wanted recreational facilities that would be used by the greater community. It seemed that all wanted to keep the area as natural as possible but made accessible with trails, etc. Chair Maxwell noted that the Northfield High School Class of 1957 already is raising funds for a park on Water Street but the donors have not seen any plans yet. Ms. Braun said that the floodplain reduction has to be done first. After this is done, there will be a better idea of what type of land mass will be made available. Selectman Gadbois asked what the Select Board can do to further the process. Ms. Braun would like some direction regarding further outreach to the Water Street neighborhood and the greater Northfield community. Selectman Gadbois suggested that some public hearings could be held to get some feedback. Selectman Freeman believes that the materials already on hand, including the aforementioned V-DAY final report, should be reviewed beforehand. He would like to have concrete plans that can be discussed before scheduling any additional meetings. Ms. Braun said that she could get the plans from the landscape architects that suggested several possibilities. Ms. Barnes noted that as a class project, Northfield University civil engineering students also provided different scenarios on how the area could be used. Chair Maxwell would like Ms. Braun to create a timeline for the Select Board that shows what has been done to date as well as recommendations on how to proceed. Ms. Braun said that she has been providing updates every six (6) weeks to Manager Schulz. Chair Maxwell would like this information shared with the Select Board.

### V. DEPARTMENT HEAD REPORT

a. Fire Chief Peter J. DeMasi. Chief DeMasi is developing specifications for the fire truck to be purchased in the next fiscal year. He will send out the RFP when they have been completed. He also reported that the aerial truck had some problems with a ring seal that will require about \$500 in repairs. Selectman Gadbois noted that new fire trucks cost about \$450,000. He asked if Chief DeMasi is looking for available grant funds. Chief DeMasi said that he did apply last December for funds to replace the tanker truck. He is waiting to see if the application was successful. Selectman Gadbois feels that extending the service life of the trucks would save money over time. Chief DeMasi said this was possible but it might drastically increase maintenance costs at the tail end of the service lives. Chair Maxwell felt that this topic could be discussed at the next budget meetings. Selectman Goslant believes that the Northfield Fire Department as a whole is better than ever as it is well-staffed with volunteers, etc. Chair Maxwell agreed and thanked Chief DeMasi for his good work.

### VI. APPROVAL OF MINUTES

**a. March 22, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the minutes. **Motion passed 5-0-0.** 

## VII. APPROVAL OF BILLS

- a. Warrant #20-16. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve Warrant #20-16 in the amount of \$652,370.14. Selectman Doney asked about the purchase of GPS tracking devices. Manager Schulz said this was the purchase of a third unit. Selectman Gadbois asked about repairs to the 2014 Western Star. Manager Schulz said that the vehicle was damaged in an accident and during repairs additional problems were found. An insurance claim will be filed. Selectman Goslant noted an expense for a line installation associated with the expansion at the Cabot Hosiery Mills facility. He asked if Cabot would reimburse this cost. Manager Schulz confirmed that it would. Motion passed 5-0-0.
- b. Approval of Biweekly Payroll through March 27, 2016. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the biweekly payroll in the amount of \$78,658.91. Selectman Doney asked about Northfield Police Department overtime. Manager Schulz said that a full-time officer had gone on vacation and his shifts needed to be filled. Motion passed 5-0-0.

# VIII. LIQUOR CONTROL COMMISSION

- a. Liquor License Renewals
  - Convenience Plus. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the liquor license renewal. Motion passed 5-0-0.
  - **2. Cornerstone Burger Company.** Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the liquor license renewal. **Motion passed 5-0-0.**
  - 3. **Depot Square Pizzeria.** Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the liquor license renewal. **Motion passed 5-0-0.**
  - O'Maddi's Deli & Café. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the liquor license renewal. Motion passed 5-0-0.

## IX. SELECT BOARD

Fireworks Display Policy. Manager Schulz stated there was a discussion at the previous meeting a. with suggestions to revise the fireworks display permit application. In addition, the Select Board has requested that a policy be generated regarding the use of fireworks on municipal property. The new policy would require that the application be submitted to the Town Manager at least thirty (30) days before the event and that it be reviewed and subject to approval by the Select Board at a "duly warned Select Board meeting." In addition, abutting property owners would be given notice of this meeting so that they could provide their input. Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the new "Policy for Use of Town Property for a Fire Works Display" and the revised "Fireworks Display Permit." Selectman Doney would like to amend the motion by requesting that the application permit be revised to require that the Fire Chief and the Police Chief must personally inspect the fireworks launching area before giving their permission. In addition, whoever is in charge of the display must provide proof of liability insurance. There was no objection to this amendment. Gerard LaVarnway would like the policy to limit the size of the fireworks to be launched. Chair Maxwell would prefer that such determinations be made on a case-by-case basis. Selectman Gadbois believes that state law already provides such limits. Selectman Freeman said the proposed policy looks good for now. It can always be reworked at a later date should any flaws be found. Mr. LaVarnway asked if there was any thought of a blanket ban on firework displays emanating from Cheney Farm. Chair Maxwell also would like this decided based on a case-by-case basis. Motion passed 5-0-0.

- b. Sale of 14 Western Avenue Property. Chair Maxwell said that the sale of this municipal property has been a topic of discussion for some time. Manager Schulz was asked to create a process for the property to be sold through a sealed bid auction with a minimum bid amount. Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the process that Manager Schulz has proposed with a minimum bid amount of \$15,000. Manager Schulz said that originally the property had been listed by a broker but the Select Board later decided to hasten the sale by seeking sealed bids. The property's value was appraised at \$14,000 a couple years ago but that was with the former owner's mobile home and various debris on site. Selectman Doney would like it specified that the property is being sold "as is." Motion passed 5-0-0.
- c. Appointment of Planning Commission Member. Manager Schulz noted that the Planning Commission has had a vacancy for some time. Aaron Rhodes submitted a letter of interest and, after meeting with the Planning Commissioners, has received their endorsement. Motion by Selectman Gadbois, seconded by Selectman Doney, to appoint Aaron Rhodes to the Planning Commission. Motion passed 5-0-0.
- d. Appointment of Development Review Board Members. Manager Schulz stated that the Development Review Board (formerly the Zoning Board of Adjustment) also has been absent one member for months. The recommendation is that applicant Colin Bright be appointed. Motion by Selectman Gadbois, seconded by Selectman Doney, to appoint Colin Bright to the Development Review Board. Chair Maxwell is well acquainted with Mr. Bright from when they served as Village Trustees together and he strongly supports his appointment. Motion passed 5-0-0.

Manager Schulz added that Paul Brown and Gabriel Lajeunesse have expressed interest in serving as alternate members of the Development Review Board. The thought is that they would be asked to fill in at scheduled meetings when a quorum of full members is not possible. Motion by Selectman Gadbois, seconded by Selectman Doney, to appoint Paul Brown and Gabriel Lajeunesse as alternate members of the Development Review Board. **Motion passed 5-0-0.** 

## X. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. 14 Western Avenue Property Site. Selectman Doney feels that since we are now trying to sell the property, all the trash left there by the previous owner should be removed as soon as possible. Manager Schulz said that Police Chief James Dziobek has spoken to the previous owner about this and will continue to do so until the problem is resolved.
- b. Additional Downtown Designations. Selectman Freeman said that the Northfield Economic Development Network has spoken to Richard Amore from the Vermont Department of Commerce & Community Development about the Village Center Designation that downtown Northfield has. Mr. Amore suggested that similar designations could be obtained for other sections of Northfield such as Northfield Falls, Northfield Center, South Northfield, etc. Selectman Freeman feels that when a new Zoning Administrator is hired, this possibility should be pursued in earnest.
- c. Nate's Updates. Selectman Gadbois is concerned about some of the recent submissions that Selectman Freeman has made on his blog, especially those that were critical of former Select Board members. He feels that the Select Board Chair should be the person speaking for the board as a whole. Chair Maxwell feels that Selectman Freeman does have the right to post his views online provided that it is made clear that he is doing so as a private citizen.
- d. Narcan Availability. Selectman Goslant feels that given the opiate problem in Vermont, it might be advisable that the Northfield Police and Ambulance Department carry in their vehicles the drug Narcan, which is used to treat overdoses. Manager Schulz spoke to Chief Dziobek about this and his officers will be undergoing training soon. The drug costs \$150 per dose. Selectman Doney said that the Ambulance vehicles already have Narcan on board and that the EMTs are trained in its use.
- e. Water/Sewer Rights of Way. Selectman Goslant said that the Select Board has received an email with questions regarding utility rights-of-way. He believes that the Town should update the process and would like this discussed at the next Utility Commissions meeting. Manager Schulz confirmed that this matter will be on the agenda.
- f. Highway Committee Update. Selectman Goslant stated that the committee met this morning with himself, Selectman Gadbois, Manager Schulz, and Highway Foreman Trent Tucker present. He felt that it was a productive meeting with discussion of various suggestions for roadwork to be done this summer. Selectman Goslant believes that Mr. Tucker has a good grasp of what needs to be done. There also was a good discussion of brush cutting, which now seems to be under control, as well as the possibility of the Highway Department returning to four ten-hour workdays each week.

- XI. TOWN MANAGER'S REPORT. Manager Schulz had nothing to add to his written report.
- XII. PUBLIC PARTICIPATION (UNSCHEDULED)
  - a. Stephen Amell Jr., Road Maintenance. Mr. Amell was very distressed last Thursday (04/07/16) when he saw the school bus that had just picked up his son on Messier Hill Road slide backwards because the road had not been sanded. He has seen other cases in which the backroads have not been sanded properly and he would like to know who is responsible for making sure this is done. Manager Schulz said that it is Highway Foreman Tucker's responsibility to ensure that the roads are properly sanded. He added that in the springtime, it is often a judgement call on whether to sand or not. Mr. Amell believes that someone should be held responsible when the school bus routes are not sanded. Selectman Freeman agrees that this is an important issue. Living on Vermont Route 12A, he does not see the Highway Department's trucks in his area as often as he would like. Selectman Freeman also believes that sometimes road safety has been compromised due to budget concerns. Mr. Amell would like Mr. Tucker reprimanded for his failure to sand the school bus route. He also would like a policy developed that would address his concerns. Chair Maxwell would like the Highway Committee to look into this issue and, if necessary, create a policy.
  - b. Sally Davidson, Directional Signs. Ms. Davidson asked at the previous regular meeting about the possibility of installing directional signs around Northfield that would point to the municipal parks, the Police Station, etc. Ms. Davidson subsequently provided a written list to Manager Schulz and she asked if there was any update on this. Manager Schulz said that he is working with Mr. Tucker on this and there are funds available in the Highway Department budget to purchase the signs.
  - c. Sally Davidson, Recreation Committee Update. Ms. Davidson said that the Recreation Committee met last night and there was some discussion of installing horseshoe pits at the municipal parks. She wanted to know if the Select Board would consider this to be a safety issue, i.e., possible tripping hazard. Chair Maxwell believes that installing the pits would enhance use of the parks and did not see any particular safety concerns provided that proper precautions are taken.
  - d. Shaun and Kaylan Sweet, O'Maddi's Deli & Café: Outdoor Alcohol Consumption Permit. The Sweets have a separate outdoor alcohol consumption permit that they would like the Select Board to approve. They already have permission to set up tables and chairs on the sidewalk and now would like to be able to serve wine and beer to customers sitting there. Since this matter was not warned for tonight, this will have to be done at a separate meeting. Selectman Gadbois suggested that a special meeting could be warned so that the Sweets don't have to wait two (2) weeks for the next regular meeting. Manager Schulz will try to schedule a meeting as soon as possible.
- XIII. EXECUTIVE SESSION. Motion by Selectman Gadbois, seconded by Selectman Goslant, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a personnel matter. Motion passed 5-0-0.

The Board went into executive session at 10:10 p.m.

Motion by Selectman Gadbois, seconded by Selectman Doney, to come out of executive session. **Motion** passed 5-0-0.

The Board came out of executive session at 11:25 p.m. No action was taken.

XIV. ADJOURNMENT. Motion by Selectman Gadbois, seconded by Selectman Goslant, to adjourn. Motion passed 5-0-0.

The meeting adjourned at 11:26 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the regular Select Board meeting of April 26, 2016.